

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FRANK ANTHONY BAUSS,

Plaintiff,

v.

MICHAEL WILDT and CHIP  
SNIDER,

Defendants.

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Case Number 14-12180

Honorable David M. Lawson

Magistrate Judge Mona K. Majzoub

**ORDER ADOPTING REPORT AND RECOMMENDATION,  
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT,  
DENYING REQUEST FOR ATTORNEY FEES, AND DISMISSING CASE**

This matter is before the Court on the report issued on August 3, 2016 by Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b), recommending that the Court grant the defendants' motion for summary judgment, deny their request for attorney fees, and dismiss the case. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #18] is **ADOPTED**.

It is further **ORDERED** that the defendants' motion for summary judgment [dkt. #12] is **GRANTED**. The defendants' request for attorney fees is **DENIED**.

It is further **ORDERED** that the case is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson

DAVID M. LAWSON

United States District Judge

Dated: August 24, 2016

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 24, 2016.

s/Susan Pinkowski

SUSAN PINKOWSKI